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In re Application of:
CLARK, Paul, T., et al. :
U.S. Application No.: 10/583,684 :
PCT No.: PCT/US2004/042743 :
International Filing Date: 20 December 2004 :
Priority Date: 19 December 2003 :
Attorney's Docket No.: 07588/020002 :
For: USE OF HUMAN CORD BLOOD-
DERIVED PLURIPOTENT CELLS :
FOR THE TREATMENT OF DISEASE :
DECISION ON RENEWED
REQUEST UNDER
37 CFR 1.497(d)

This decision is issued in response to the "Renewed Request Under 37 CFR 1.497(d)" filed 04 December 2008. Applicants have previously submitted the required processing fee.

BACKGROUND

The procedural background for the present application was set forth in the decision mailed herein on 04 September 2008. That decision dismissed applicants' request to correct inventorship under 37 CFR 1.497(d) for failure to satisfy all the requirements of a grantable request. Specifically, applicants had failed to provide the consent of the assignee to the requested change in inventorship.

On 04 December 2008, applicants filed the "Renewed Request Under 37 CFR 1.497(d)" considered herein.

DISCUSSION

The renewed petition includes a statement of consent to the change of inventorship executed on behalf of the assignee Viacell, Inc. (Viacell). The consent was provided in the form required under 37 CFR 3.73(b). These materials satisfy the final requirement for a grantable request to correct inventorship under 37 CFR 1.497(d). The requested addition of Morey KRAUS as an additional inventor, and the removal of Christoph M. ADAMS, is therefore appropriately granted.

Based on the above correction, the declaration filed 02 November 2006 is now acceptable in compliance with 37 CFR 1.497(d).

CONCLUSION

Applicants' renewed request to correct inventorship under 37 CFR 1.497(d) is
GRANTED.

The inventorship of record herein is corrected to add Morey KRAUS as an additional inventor of record, and to remove Christoph M. ADAMS.

This application is being referred to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 02 November 2006.



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